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Hearing Date: May 3, 2023
Hearing Time: 10:00am
Objection Deadline: April 26, 2023

Proposed Attorneys for the Debtor and Debtor in Possession

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Chapter 11

BCM CRE OPPORTUNITY FUND LLP,

Case No.: 23-40964-jmm

Debtor.
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**DEBTOR’S APPLICATION SEEKING THE ENTRY OF AN ORDER
EXTENDING THE DEBTOR’S TIME TO CURE FILING DEFICIENCIES
EFFECTIVE AS OF APRIL 5, 2023**

**TO: THE HONORABLE JIL MAZER MARINO
UNITED STATES BANKRUPTCY JUDGE**

BCM CRE Opportunity Fund LLP, the debtor and debtor-in-possession (the “Debtor”), by and through its proposed counsel, the Law Offices of Avrum J. Rosen, PLLC, hereby submits this application (the “Application”) seeking the entry of an Order extending the Debtor’s time to cure its filing deficiencies, effective as of April 5, 2023, for a period of fourteen (14) days to April 19, 2023 and states as follows:

1. The Debtor filed a voluntary petition for relief pursuant to Chapter 11 of Title 11 of the United States Code (the “Bankruptcy Code”) on March 22, 2023 (the “Petition Date”).
2. No trustee, examiner or official committee of general unsecured creditors has been appointed in this case. The Debtor continues to remain in possession of its assets as a debtor-in-possession.
3. On the Petition Date, the Debtor also filed the following: (i) the list of equity security holders in accordance with Rule 1007(a)(3) of the Federal Rules of Bankruptcy Procedure

(the “Bankruptcy Rules”); (ii) the Corporate Ownership Statement in accordance with Bankruptcy Rule 7007.1; (iii) Creditor Matrix Pursuant to E.D.N.Y. LBR 1007–3 (the “Local Rules”); (iv) Statement pursuant to E.D.N.Y. LBR 7073-2(b); (v) statement regarding financial documents; and (vi) Statement/Resolution of members pursuant to Local Rule 1074. In addition, the Debtor remitted the filing fee for commencing a bankruptcy case pursuant to 28 U.S.C. § 1930(a).

4. The Debtor did not file: (i) the summary of assets and liabilities; (ii) schedules A/B, D, E/F, G and H; (iii) statement of financial affairs; and (iv) an affidavit pursuant to Local Rule 1007-4 (collectively the “Deficiency Documents”)

5. Pursuant to the Notice of Deficient Filing [Dkt. No 7] the deficiencies were to be cured by April 5, 2023 (the “Notice of Deficiencies”).

6. The Debtor has taken steps towards curing all deficiencies in this bare bones filing by reviewing drafts of the Deficiency Documents. While all Deficiency Documents are nearly finalized and ready for a final review and signature, the Debtor’s principal, Ms. Judith Klein, is out of the country and unavailable due to the holiday week. As such cause exists to extend the Debtor’s time to cure all deficiencies.

7. Pursuant to Order dated April 4, 2023 [Dkt. No. 14] the initial case management conference is scheduled for April 19, 2023. The Debtor anticipates filing the Deficiency Documents prior to the initial case management conference.

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8. Accordingly, the Debtor seeks an order, effective as of April 5, 2023, extending the Debtor's time to cure the deficiencies, set forth in the Notice of Deficiencies from April 5, 2023 up to and including April 19, 2023.

WHEREFORE, the Debtor respectfully requests that this Honorable Court enter an Order, authorizing and extending the Debtor's time to cure the deficiencies by April 19, 2023, together with such other and further relief as this Court deems just and proper under the facts and circumstances herein.

Dated: April 5, 2023
Huntington, New York

Law Offices of Avrum J. Rosen, PLLC
Proposed Attorneys for Debtor in Possession

By: /s/ Avrum J. Rosen
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